

REMARKS

Claims 1-7, 9-18 and 20-24 are currently pending, wherein claims 1, 10 and 13 have been amended, claims 3 and 14 have been canceled, and claims 23 and 24 have been added. Applicant requests favorable reconsideration in view of the above-identified amendments and the remarks presented herein below.

At the outset, Applicant notes with appreciation the indication that claims 3, 10-12, 14, 21 and 22 contain allowable subject matter.

In paragraph 4, the Office Action objects to Figures 1-3 for not being designated as "prior art" because they allegedly illustrate only that which is old. Applicant respectfully traverses this objection. Although the specification discloses that the cleaning method of the present invention is suitable for the CVD device disclosed in Japanese Application Serial No. H11-157692 (JP2000-345349), nowhere in the specification is there any disclosure or suggestion that the CVD illustrated in Figures 1 and 2 is equivalent to the CVD of H11-157692. It is clear from a comparison of the two devices that although they comprise similar structure and function they are not equivalent. For example, the CVD device illustrated in the present application does not employ a switch to ground the partition plate as disclosed in the CVD device of H11-157692. Accordingly, Figures 1 and 2 illustrate CVD devices according to exemplary embodiments of the invention.

In paragraph 5, the Office Action objects to claim 13 because it is allegedly replete with structural and functional language. Claim 13 has been amended, thereby addressing the Examiner's concerns.

In paragraph 7, the Office Action rejects claims 21 and 22 under 35 U.S.C. §112, second paragraph as allegedly being indefinite. More specifically, the Examiner asserts that there is insufficient antecedent basis for the phrase "the heating of said electrically conductive partition." Claim 13 has been amended to include the subject matter of claim 14, which recites the added step of heating the electrically conductive partition plate, thereby providing proper antecedent basis for claim 21. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 21 and 22 under 35 U.S.C. §112, second paragraph.

In paragraph 9, the Office Action rejects claims 1, 2, 4, 5, 13, 15 and 16 under 35 U.S.C. §102(b) as allegedly being anticipated by Japanese Patent No. JP 2000-345349. Applicant respectfully traverses this rejection.

Independent claims 1 and 13, as amended, include, among other things, the step of heating the electrically conductive partition plate, which was formerly in claims 3 and 14 which the Examiner deemed allowable. Therefore, claims 1 and 13 are patentably distinguishable over Japanese Patent No. JP 2000-345349 for at least those reasons presented in paragraphs 14-16 of the Office Action. In addition, claims 2, 4, 5, 15 and 16 variously depend from independent claims 1 and 13. Therefore, claims 2, 4, 5, 15 and 16 are patentably distinguishable over Japanese Patent No. JP 2000-345349 for at least those reasons presented above with respect to claims 1 and 13. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 4, 5, 13, 15 and 16 under 35 U.S.C. §102(b).

In paragraph 12, the Office Action rejects claims 6, 7, 17 and 18 under 35 U.S.C. §103(a) as allegedly being unpatentable over Japanese Patent No. JP 2000-345349 in view of U.S. Patent No. 6,538,734 to Powell ("Powell"). Applicant respectfully traverses this rejection.

Claims 6, 7, 17 and 18 variously depend from independent claims 1 and 13. Therefore, claims 6, 7, 17 and 18 are patentably distinguishable over the combination of Japanese Patent No. JP 2000-345349 and Powell for at least those reasons presented in paragraphs 14-16 of the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 6, 7, 17 and 18 under 35 U.S.C. §103(a).

In paragraph 13, the Office Action rejects claims 9 and 20 under 35 U.S.C. §103(a) as allegedly being unpatentable over Japanese Patent No. JP 2000-345349 in view of U.S. Patent No. 6,313,017 to Varhue ("Varhue"). Applicant respectfully traverses this rejection.

Claims 9 and 20 variously depend from independent claims 1 and 13. Therefore, claims 9 and 20 are patentably distinguishable over the combination of Japanese Patent No. JP 2000-345349 and Varhue for at least those reasons presented in paragraph 16 of the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 9 and 20 under 35 U.S.C. §103(a).

New claims 23 and 24 defined an apparatus suitable for carrying out the method of claims 1 and 13. The apparatus includes, *inter alia*, a partitioning section that comprises a heater for heating the partitioning section. Therefore, new claims 23 and 24 are patentably

distinguishable over the cited prior art for at least the reason that the prior art fails to disclose or suggest a partitioning section comprising a heater as claimed.

This application is in condition for allowance. Notice of same is earnestly solicited. Should the Examiner have any questions regarding this application, the Examiner is invited to call the undersigned at the telephone number provided below.

Respectfully submitted,

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